

**Westfield Public Hearing
Agenda
Tuesday, December 2, 2025 6pm
Westfield Community Center, 59 North Hill Rd., Westfield, VT**

Pursuant to Title 24 VSA §4464 there is a Public Hearing before the Town of Westfield Development Review Board (DRB) Tuesday, December 2, 2025 at 6:00 pm at the Westfield Community Center to consider:

1

∞Application 2025-20 submitted by Roy Marble representing Villeneuve Family Trust for a five (5) lot subdivision on Ballground Legal Trail. Before approval of the subdivision is granted the applicant must obtain Access by Right-of-Way. The property is in the Rural/Ag district. A subdivision of five lots and Access by Right-of-Way is subject to Conditional Use and Site Plan Review and requires a hearing by the Development Review Board.

2

To review two (2) subdivision survey plats.

The application is available for inspection at the Westfield Town Offices, 38 School Street, or online at www.westfield.vt.gov. For more information contact the Zoning Administrator at westfieldzoning@gmail.com or (802) 715-3077.

Participation in this Hearing is a prerequisite for the right to file an appeal.

Hearing process:

- A. Welcome participants
- B. Define admissible evidence/germane comments.
- C. Disclosure of conflicts of interest and ex parte communications.
- D. Review the definition of interested persons in 24 V.S.A. § 4465(b).
- E. Pursuant to 24 V.S.A. § 4471(a), only an interested person who has participated in this proceeding may take an appeal of any decision issued in this proceeding.
- F. Interested persons identify themselves, demonstrate why they qualify for interested person status, and provide contact information.

- G. The board may grant or deny interested person status, subject to the definitions established by 24 V.S.A. § 4465(b). The board may hold a short deliberative session to consider interested person status, and shall issue its decision immediately upon returning to open session.
- H. Direct the applicant or his/her representative and all interested persons to take the following oath: *I hereby swear that the evidence I give in the cause under consideration shall be the whole truth and nothing but the truth under the pains and penalties of perjury*).
- I. Accept written information presented to the board.
- J. Applicant or applicant's representative presents the application or proposal.
- K. Board members ask questions of the applicant or applicant's representative.
- L. Interested persons present information regarding the application or proposal.
- M. Applicant, applicant's representative, or interested persons may respond to information presented.
- N. Additional questions or comments from members of the board.
- O. The Chair shall allow members of the public who were denied interested person status and other members of the public to make comments or ask questions regarding the application or proposal. Such comments shall be limited to [three minutes] per person, unless by majority vote the board sets a different time limit.
- P. Allow final comments or questions from the applicant or applicant's representative.
- Q. Upon motion and majority approval, the Chair shall either adjourn the hearing to a time certain, or close the proceedings by stating that this is the final public hearing on the matter.
- R. Upon final adjournment, the board shall be deemed to be in deliberative session until a written decision is issued.

NOTE:

The following are not under DRB review:

- Highway Permit
- Act 250 Permit
- Wastewater Permit
- Water Supply
- Fire Marshall inspection

We can provide contact information for person/agency with applicable jurisdiction. There is a sign up sheet for contact information requests.

About DRB Hearings: The purpose of a warned Hearing is to collect evidence. It is not an informational meeting. It is not a Town Meeting.

There is a public right to a “reasonable opportunity” to comment and express “opinion” on any matter under consideration at an open meeting, “as long as order is maintained” and “subject to reasonable rules established by the chairperson.” 1 V.S.A. § 312(h).

How we maintain order:

- Wait to be recognized before speaking
- State your name
- Address your comment or suggestion to the DRB not the permit applicant
- Adhere to established speaking times
- No comments about permits not under DRB jurisdiction
- No side conversations
- Suggestions for permit conditions are welcome
- The Chair will stop the speaker if they raise issues not under DRB jurisdiction
- Failure to abide by these procedure guidelines may result in removal from the Hearing.

WESTFIELD DEVELOPMENT REVIEW BOARD HEARING
December 2nd, 2025 @ 6:00 p.m.
Westfield Community Center, 59 North Hill Road

Town Officials in Attendance: Loren Petzoldt, Development Review Board Vice-Chair (Acting Chair); Ellen Fox, Development Review Board; Kitty Edwards, Development Review Board; Brian Dunn, Development Review Board; Will Young, Zoning Administrator; Niki Dunn, Development Review Board Clerk

Others In Attendance: Roy Marble (On Behalf of Applicant), Rosemary Croizet, Bill Salmon, Jennifer Grace, Joe Flynn (Via Zoom)

- A. Welcome Participants:** Loren Petzoldt, acting as Chair, brought the meeting to order at 6:00pm. This hearing is regarding application 2025-20 for the property located on Ballground Legal Trail, which is in the rural/ agricultural district, brought forth by The David L. Villeneuve and Brenda J. Villeneuve Family Trust and Roy Marble. A subdivision of five lots and access by right-of-way is subject to Conditional Use and Site Plan Review and requires a hearing by the Development Review Board.
- B. Admissible Evidence:** The admissible evidence submitted by the applicant is permit application 2025-20 (A), Narrative overview for subdivision application (B), List of property abutters (C), State of Vermont Wastewater System & Potable Water Supply Permit #WW-7-6781 (D), Survey plat for entire 52.2 +/- acres with 5 lots detailed thereon (E), Engineering plans detailing the 5 lots (F), Natural resources atlas sheet showing surface waters/ streams (G), Natural resources atlas sheet showing soils (H), Natural resources atlas sheet showing wetlands in the area (I), District 7 email addressing subdivision/ Act250 triggering question (J), Petition for Alteration of Certain Highways or Portions Thereof recorded in the Westfield Land Records book 17, page 63 (K), Report of the doings of the Selectmen of the Town of Westfield in regard to a petition for the discontinuance of certain highways or portions thereof recorded in the Westfield land records book 17, page 64 (L) 19 V.S.A. §702 Laying out, discontinuing and reclassifying highways (M), Westfield highway map 1944 (N), Westfield highway map 1957 (O), Survey subdivision plat map dated 12/31/2024 by O'Leary-Burke Civil Associates, PLC (P), Septic detail map for Lot 1 (Q), Septic detail map for Lot 2 (R), Septic detail map for Lot 3 (S), Septic detail map for Lot 4 (T), Septic detail map for Lot 5 (U), Site plan map for Lot 1 (V), Site plan map for Lot 2 (W), Site plan map for Lot 3 (X), Site plan map for Lot 4 (Y), Site plan map for Lot 5 (Z).
- C. Interested Parties:** Loren explained that anyone wishing to speak at the hearing or who would like the chance to appeal the decision the Development Review Board makes regarding this application must sign in as an interested party and take the verbal oath. Interested parties were Roy Marble, Joe Flynn, Rosemary Croizet, Bill Salmon and Jennifer Grace.
- D. Oath:** Loren read the oath aloud and it was verbally agreed to by all the interested parties.
- E. Presentation by Applicant:** Roy Marble, on behalf of his client the Villeneuve Family Trust, presented their application regarding a 52.2 +/- acre parcel on Ballground Legal Trail. They would like to subdivide the current lot into 5 lots for seasonal or year-round use. The state has approved wastewater plans for these sites. They provided a survey showing the acreage of the 5 lots. The surveyor, Joe Flynn, was present for questions via Zoom. They relied on various maps from the Vermont Agency of Natural Resources to answer questions that came up in the zoning process. Those maps were submitted as evidence.
- F. Question Period:**
1. Ellen Fox questioned the shape of the parcel on the survey submitted as evidence verses the shape of the parcel on the towns tax map. It was noted that the surveys are typically more accurate than town tax maps. Ellen questioned if Bunting Family LLC has been notified of the change in the parcel shape according to this survey as it would seem to affect their parcel. Roy

felt they could hire a surveyor to survey their property if they felt it was incorrect. Ellen questioned the wastewater permit submitted. Roy noted that they are for the proposed building sites only. They did soil testing to determine where wastewater discharge can be permitted. Then they propose a workable building site around that. They also located a water well that is isolated from the septic areas and meets other setbacks. The house sites noted on the maps are not set in stone, however they are obligated to meet certain setbacks if they decide to change the house sites. They are trying to provide people with permittable house sites for each lot. Ellen questioned the lots on the South side of Ballground Legal Trail, there are wetlands on the site plan, she questioned if the wetlands areas were taken from the ANR wetlands maps. Roy noted that they were. Ellen questioned how a buyer would know there are wetlands there. Roy explained that they would note that prior to any sale.

2. Loren questioned when looking at the septic and well plans there are protection zones that impact neighboring properties today. Roy noted that the engineer would have submitted letters when getting the wastewater permits approved. Loren questioned if the abutting property owners were made aware of the wastewater plans. Roy explained that the abutting property owners should have been sent a certified letter.
3. Bill Salmon questioned if the lots are required to be sold as year-round use. Loren noted that it could be full or part time use. He also noted that anyone building on these lots would need to get a building permit and they would note at that time whether they plan on living there full or part time. Will Young explained that properties are either listed as a camp or single-family home in Westfield, and a camp would have no running water or sewer and is occupied less than 60 days per year. Anything above that is a single-family home. What is being proposed is for single family dwellings on these lots. If someone wanted to put an apartment building there then they would need to come back for a new hearing in front of the Development Review Board.
4. Jennifer Grace questioned if the five-lot subdivision has wastewater capacity and if the subdivision is related to or contingent upon the village wastewater study the Selectboard is currently handling. Loren explained that each lot is dependent upon its own wastewater system and is not related to the village wastewater study going on. Loren explained that the Development Review Board can only act on the zoning bylaw as written today and the village wastewater study is not in effect in any way and does not affect the zoning bylaw at this time. If something were to come from the study in the future, then they may need to update the zoning bylaw at that time. Jennifer questioned whether a subdivision of this extent has ever been undertaken in Westfield. Will noted that there was a five-lot subdivision in 2023 on Kennison Road that was approved.
5. Rosemary Croizet questioned how the road construction and possible driveway access will affect the brook near the property and drainage downstream. What is going to be done to make sure the parcels downstream will be protected from driveway construction. Ellen looked at the survey map with Rosemary and explained where the proposed construction sites would be. There are no new roads being created, they have existing access to each parcel from the Legal Trail. They would be creating driveways, but the building site locations being proposed are close to the existing Legal Trail. Rosemary is concerned with how to protect drainage. Loren is hoping that those things will be looked at when someone comes in to get a building permit for the site. Rosemary noted that road improvement on Ballground Road may come into play. Loren noted that these properties are on a Legal Trail and the people who purchase these parcels would be responsible for the Legal Trail portion of the road. The Development Review Board does not have any say over the roads other than determining access by right of way.
6. Bill Salmon noted that the road is in very bad condition right now. He does not want the town to take up maintenance of the road. Loren noted that it is a different process to get the town to take over the road. They would need to ask the Selectboard to do that. Bill noted that when talking to the Selectboard they explained that even if the road is brought up to class 3 specs, they do not have to take it over. Ellen noted that the Selectboard still needs to approve work on

the road to bring it up to Class 3 standards. Roy noted that he believes the town is still working on the ordinance that would affect work on Legal Trails.

7. Jennifer Grace questioned if adjacent property owners have to be notified before any road work occurs. Will explained that the Selectboard is currently working on how to address Legal Trails in town. He feels the town is leaning towards treating Class 4 Highways and Legal Trails the same. The Town still has responsibility for these roads, even though they do not have to maintain them. People who want to work on those roads in significant ways would need to come to the Selectboard to get permission first. This Ordinance has not been finalized yet though.
8. Loren addressed the two items that were submitted for public comment prior to the hearing. He went through each question individually.
 - a. Has this area or these parcels been reviewed, discussed, or evaluated by AES or the DEC engineer for wastewater or soil suitability? Loren is **not** sure if AES has been notified, but the VT Department of Environmental Conservation has given wastewater permit approval for all five lots.
 - b. Would this subdivision rely on, benefit from, or help justify any future municipal wastewater system currently being **studied**? Loren noted that this is **not under** the purview of the Development Review Board and he **is not** sure where they are on that.
 - c. Has the Town of Westfield or the Development Review Board approved a subdivision of this size before? This question was answered **previously** in the meeting.
 - d. If so, when, and what wastewater/ septic plan was **used at** that time? It was noted that those plans would be on file **from that time** if there are **any**.
 - e. Wastewater requirements for **proposed subdivision**. Is this proposed subdivision contingent **on wastewater approval** (individual onsite systems or any potential municipal system)? Loren noted that they typically rely on the approved plans from the **State**, although subdivisions can be approved without wastewater permits. If a subdivision was approved without submitted wastewater permits, then any future building on a site **would** require a wastewater permit to be submitted. The approval of a subdivision **is not contingent on wastewater system approval**.
 - f. **Have soils**, percolation, and wastewater capacity been evaluated? Loren assumes it has **as the plans have** been approved by the State.
 - g. Has the Development Review Board received engineering or environmental data for the parcels? Loren noted to again refer to the wastewater permits approved by the State.
 - h. **Relationship** between subdivision and wastewater planning. Subdivisions do not require a wastewater plan to be approved.
 - i. Is there any overlap between this subdivision proposal and the ongoing wastewater feasibility planning by the Selectboard? Loren noted there is none that he is aware of, the study is not in place at this time and has no effect on the zoning bylaw.
 - j. Has any coordination occurred between the Selectboard and the Development Review Board regarding wastewater capacity for this area? No, the plans were done by the engineer the property owners hired.
 - k. Was the meeting properly warned according to zoning and Development Review Board requirements? Yes

- l. Where and when were notices posted? Will explained that on November 14th notices were posted at the Recycling Center, Town Office, Westfield General Store, on the property stapled to a tree visible from the Legal Trail and a notice ran in the Newport Daily Express on November 14th as well. It was also posted on the town website and mailed to the abutting property owners and all owners from the end of the Class 3 Highway portion of Ballground road to the property in question.
 - m. Will minutes be posted publicly within 5 days as required? Yes
 - n. Has the Town evaluated whether future development would affect road usage, emergency access, or future taxpayer costs? Loren noted that road usage is covered in the zoning bylaw. He cannot say what taxpayer costs this may affect in the future.
 - o. Were any agencies (ANR, DEC, regional planning, etc.) consulted? Only the people the engineers went to for approval at the state level. Roy noted that these get looked at by the Agency of Natural Resources and everyone else in that loop which includes the Department of Environmental Conservation.
 - p. What specific criteria will the Development Review Board use to determine approval or denial of this subdivision? Loren noted they will look at the zoning bylaw to determine if it will be approved or not.
 - q. Will all supporting documents be made available to the public? Yes, they are available at the Town Office.
9. Will questioned if there needs to be any discussion on access by right of way. Ellen noted that all deeds submitted show proof of access by right of way. Will noted that the Legal Trail is well documented and it still holds the right of way width of 50 feet. Ellen noted that future deeds need to have language around access to the property via Legal Trail.
- G. Approve Two Subdivision Survey Plats:** The maps being looked at are two lot subdivisions. One is on VT Route 242 dividing an approximately 11-acre parcel into two 5.5 acre parcels and the other divides a roughly 4-5 acre parcel into a 2 and 3 acre lot. The final mylar plat maps need to be approved by the Development Review Board before they can be recorded in the Westfield land records. Both maps are within the recreational/ residential areas of the zoning map and require minimum 1 acre lots. Ellen Fox motioned to approve the AHA Water Cooperative subdivision plat map and the Peter and Elaine Thoms subdivision plat map for recording in the Westfield land records. Kitty Edwards seconded. Motion passed.
- H. Deliberative Session:** Ellen Fox motioned to move into deliberative session at 6:45PM and invited Will Young and Niki Dunn to join them, Kitty Edwards seconded. Motion passed.

Ellen Fox motioned to exit deliberative session at 7:00PM, Kitty Edwards seconded. Motion passed.

Ellen Fox motioned to approve the five-lot subdivision as portrayed in subdivision plat P11, Lands of David Villeneuve Family Trust and Brenda Villeneuve Family Trust on Ballground Road in Westfield, Vermont with no conditions. Brian Dunn seconded. Motion passed.

Ellen Fox motioned to approve access by right-of-way for new single family dwellings on lots 1, 2, 3, 4 and 5. Access by right-of-way is on the Town Legal Trail that meets the 50 foot right-of-way width and any improvement or maintenance to that access will meet the standards of the zoning bylaw and have approval from the Westfield Selectboard. Brian Dunn seconded. Motion passed.

Kitty Edwards motioned to adjourn at 7:03PM, Brian Dunn seconded. Motion passed.